

# TOWN OF MILFORD

## TOWN ADMINISTRATION

Mr. Norman C. Bay, Chairman FERC  
888 First Street, NE  
Washington, DC 20426

April 29, 2016

RE: Tennessee Gas Pipeline Company, L.L.C.,  
Docket No. CP 16-21-000 Northeast Energy Direct Project

Dear Mr. Bay

I write on behalf of the elected Board of Selectmen of the Town of Milford, NH and all residents of the Town of Milford, NH. Kinder Morgan/Tennessee Gas Pipeline (KMTGP) gave notice of intent to pursue the Northeast Energy Direct Pipeline (NED) on September 14, 2014. Additionally, on November 20, 2015, KMTGP filled a certificate application (application) in the above referenced docket with the Federal Energy Commission (FERC). That application remains open and pending before FERC.

We were notified by KMTGP on April 22, 2016 that due to "inadequate capacity commitments from prospective customers and a determination that the project is uneconomic" that "the company would suspend further work and expenditures on the project." KMTGP further requested "that the commission not take further action in processing the Application, pending Tennessee submitting a status report to the commission no later than May 26, 2016."

FERC must know that the Town of Milford, like many other towns impacted by this application, has expended substantial funds in staff time, legal representation and expert testimony to study the application and to determine the proposed pipeline's impact on our community. The "suspension" of work by KMTGP requires the Town of Milford to remain vigilant and potentially commit appropriated funds rather than redirect those funds to other programs for our citizens. While we respect the request for an additional month for KMTGP to submit a status report to FERC we must insist that if nothing substantive to the furtherance of the application is filed by KMTGP that FERC dismiss the application with prejudice by the end of business on May 26, 2016.

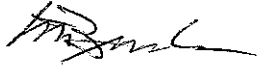
The Town of Milford, NH would like to go on record stating that FERC must review its pre-filing and application processes. With future applications, the case for need should be determined in a public hearing during the pre-filing process. Grossly incomplete pre-filings and applications, like this as submitted by KMTGP, should be rejected and dismissed upon receipt. Additionally, deadlines should be set and any applicant that is



derelict in responding to FERC requests for additional information, as KMTGP was in this case, should have their filings and applications dismissed.

By copy of this letter, the Town of Milford, NH is requesting that the NH Attorney General investigate the details of this application and determine if restitution is due all NH Towns for costs incurred relative to the referenced Docket.

Sincerely,



Mark Bender  
Town Administrator

cc: Governor Maggie Hassan  
Senator Kelly Ayotte  
Senator Jeanne Shaheen  
Congressman Frank Guinta  
Congresswoman Anne Kuster  
Attorney General Joseph Foster  
Milford Board of Selectmen:  
Mark Fougere, Chairman  
Kevin Federico, Vice Chairman  
Kathy Bauer, Selectman  
Gary Daniels, Selectman  
Mike Putnam, Selectman